

NOV. 16. 2006 2:41PM

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NO. 302 P. 2

NOV 16 2006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Di Benedetto et al.

Attorney Docket No.: ANDIP006/9007

Application No.: 10/026,311

Examiner: Bilgrami, A.

Filed: December 21, 2001

Group: 2143

Title: METHODS AND APPARATUS FOR  
IMPLEMENTING A HIGH AVAILABILITY  
FIBRE CHANNEL SWITCH

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being transmitted by facsimile to fax number 571-273-8300 to the U.S. Patent and Trademark Office on November 16, 2006.

Signed: \_\_\_\_\_

Agnes Spence

**NOTICE OF APPEAL**

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision of the Primary Examiner mailed August 9, 2006 finally rejecting Claims 1-37.

The item(s) checked below are appropriate:

Appeal Fee: ☐ \$250.00 (Small Entity) ☐ \$500.00 (Large Entity)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply:

☒ Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d)) for the total number of months checked below:

11/17/2006 TL0111 00000046 500388 10026311

01 FC:1401 500.00 DA  
02 FC:1251 120.00 DA

<u>Months</u>	<u>Large Entity</u>	<u>Small Entity</u>	RECEIVED CENTRAL FAX CENTER NOV 16 2006
<input checked="" type="checkbox"/> one	\$120.00	\$ 60.00	
<input type="checkbox"/> two	\$450.00	\$225.00	
<input type="checkbox"/> three	\$1,020.00	\$510.00	

If an additional extension of time is required, please consider this a petition therefor.

☐ An extension for \_\_\_\_\_ month(s) has already been secured and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

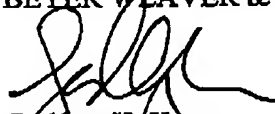
**Total Fee Due**

Notice of Appeal Fee	\$500.00
Extension Fee (if any)	\$120.00
<b>Total Fee Due</b>	<b>\$620.00</b>

☐ Enclosed is Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.

☒ Charge the required fees or credit any overpayment to Deposit Account No. 500388, (Order No. ANDIP006).

Respectfully submitted,  
BEYER WEAVER & THOMAS, LLP

  
Godfrey K. Kwan  
Reg. No. 46,850

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**FACSIMILE COVER SHEET**

November 16, 2006

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**Re:** Application No. 10/026,311  
Attorney Docket No. ANDIP006/9007

**Pages Including Cover Sheet(s):** 8

**MESSAGE:**

Enclosed

Notice of Appeal (2 pgs.)  
Pre-Appeal Request for Review (5 pgs.)

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